

Robert L. McDaniel  
Individual  
4919 Natural Bridge  
Kingwood, Texas 77345  
(281) 844-7364

Pro se Defendant

**FILED**

AUG 29 2008

RICHARD  
CLERK, U.S. I  
DISTRICT

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RELIANT TECHNOLOGIES, Inc.  
a corporation,

Plaintiff,

-v-

ROBERT LANE McDANIEL,  
an individual,

Defendant.

Case No. 3:08-cv-2515

Hon. Maxine M. Chesney

**Defendant's Motion to Extend**

**FAXED**

**Defendant's Motion to Extend**

Defendant Robert L. McDaniel hereby respectfully request to extend the deadline to complete his individual case management statement which is currently due August 29, 2008. In support of this motion, I state as follows:

1. **8/08/2008** Defendant participated in good faith in the case management conference with Plaintiff's counsel and stipulated to many points, having only a select few points of disagreement. It was agreed at that time that Plaintiff's counsel would prepare a draft copy of the joint case management statement and forward to me for approval.
2. **8/26/08** I received a call from Thad and Alexis at Pattishall. Thad said that their joint case management statement should be completed by tomorrow afternoon, and they would forward it to me then. I protested that I would not have time to adequately

review and seek advice in only a few days a document that had taken them over two weeks to prepare. Later that afternoon I received an email from Thad that they had chosen to prepare separate case management statements.

3. **8/26/08** I received a call from Paul Van Slyke one of several people advising me (piecemeal as I could afford it) Paul advised me that because of a call he received from Plaintiff's counsel the day before he could no longer advise me in any capacity whatsoever. He said the opposing counsel was very angry about my refusal to stipulate their motion, and advising me now placed him at personal risk. I made a record of this call.
4. I explained to Paul that I was not trying to aggravate the Plaintiff, but I was already low on money and extending my motion as they proposed was only going to drag things on and cost me more money.
5. When Paul quit, it left me at a bit of a loss for legal guidance. I have other sources, but none that I perceived were as qualified or familiar with the entire case to help me with the new and unexpected task of preparing my own separate case management statement.
6. Having never prepared a case management statement, I sought the help of a lawyer friend. They are willing to help me, but said they would need to use the Plaintiff's statement as a model, since the local rules were different in California.
7. Accordingly I am requesting that the court grant me four days from the time that I receive a copy of the Plaintiff's separate case management statement to file my case management statement.
8. I have made request to the Plaintiff's counsel for a copy of their case management statement. Assuming that I can get it by Monday September 1, 2008 I would request that my deadline to deliver my case management statement would be moved to September 4, 2008.

1  
2 Wherefore Defendant hereby respectfully requests that the court enter the proposed order  
3 extending the Defendant's deadline to file case management statement to September 4, 2008.

4 Dated August 29, 2008

5  
6 By: 

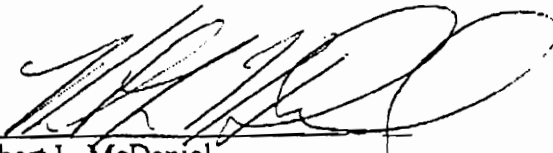
7 Robert L. McDaniel  
8 Pro Se Defendant  
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**CERTIFICATE OF SERVICE**

I hereby certify and declare under the penalty of perjury that the foregoing was served upon opposing counsel at the address listed below, via certified mail, return receipt requested on this 29 day of August, 2008:

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*Counsel for Reliant Technologies*

  
Robert L. McDaniel

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**RECEIVED**

AUG 29 2008

RELIANT TECHNOLOGIES,  
a Delaware corporation,

Plaintiff,

v.

ROBERT L. McDANIEL,  
an individual,

Defendant.

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Case No. C08-2515 MC

**I. [PROPOSED] ORDER**

II.

Before the Court is Defendant's Motion To Extend Deadline for Filing Case Management Statement. The Court finds that Defendant's Motion has merit and should be **GRANTED**.

Plaintiff shall provide a copy of their Case Management Statement to Plaintiff no later than September 1, 2008 and Defendant shall file his Case Management Statement no later than September 4, 2008

**SO ORDERED.**

SIGNED on \_\_\_\_\_, 2008.

\_\_\_\_\_  
MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA

EXED